

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Charles F. Sobien
Lori Ann Sobien**
Debtor(s)

Bankruptcy Case No.: 16-21603-JAD
Doc. No. 89
Chapter: 13
Docket No.: 90 – 89
Concil. Conf.: January 24, 2019 at 11:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **December 24, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **January 7, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 24, 2019 at 11:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: November 7, 2018

Jeffery A. Deller
United States Bankruptcy Judge

cm: All Creditors and Parties In Interest

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Charles F. Sobien
 Lori Ann Sobien
 Debtors

Case No. 16-21603-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: msch
 Form ID: 410

Page 1 of 2
 Total Noticed: 15

Date Rcvd: Nov 07, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 09, 2018.

db/jdb	Charles F. Sobien, Lori Ann Sobien, 332 Solomon Temple Rd, Latrobe, PA 15650-9377
cr	+BANK OF AMERICA, N.A., 2380 Performance Dr, Richardson, TX 75082-4333
cr	Bank of America, N.A., The Bank Of New York Mellon FKA The Bank, PO BOX 31785, TAMPA, FL 33631-3785
cr	THE BANK OF NEW YORK MELLON, FKA, PO BOX 31785, TAMPA, FL 33631-3785
14221592	Bank of America, 1800 Tapo Canyon Rd, Simi Valley, CA 93063-6712
14221593	Bank of New York Mellon, Bank of America, NA, 16001 Dallas Pkwy, Addison, TX 75001-3311
14221595	+GC Services, 6330 Gulfton St, Houston, TX 77081-1198
14221597	KML Law Group, BNY Independence Center,, 701 Market St Ste 5000, Philadelphia, PA 19106-1541
14290755	THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO, Bank of America, PO BOX 31785, Tampa, FL 33631-3785
14221598	+Westmoreland Federal S & L, 322 Main St, Latrobe, PA 15650-1590
14221599	#Zucker, Goldberg & Ackerman, LLC, 200 Sheffield St Ste 101, Mountainside, NJ 07092-2315

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14258963	+E-mail/Text: bankruptcy@cavps.com Nov 08 2018 02:20:36 Cavalry Investments, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
14221594	E-mail/Text: ccusa@ccuhome.com Nov 08 2018 02:19:25 Credit Collection USA, 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
14221596	E-mail/Text: JCAP_BNC_Notices@jcap.com Nov 08 2018 02:20:35 Jefferson Capital Systems, 16 McLeland Rd, Saint Cloud, MN 56303-2198
14248937	E-mail/Text: appebnmailbox@sprint.com Nov 08 2018 02:20:14 Sprint Corp., Attn Bankruptcy Dept, PO Box 7949, Overland Park KS 66207-0949

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr	THE BANK OF NEW YORK MELLON Et Al...
cr*	Bank of America, N.A., THE BANK OF NEW YORK MELLON FKA THE BANK, PO BOX 31785, TAMPA, FL 33631-3785
cr*	Bank of America, N.A., THE BANK OF NEW YORK MELLON FKA THE BANK, PO BOX 31785, TAMPA, FL 33631-3785
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cr*	Bank of America, N.A., The Bank of New York Mellon Fka The Bank, PO BOX 31785, TAMPA, FL 33631-3785
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TOTALS: 1, * 9, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 09, 2018

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: msch
Form ID: 410

Page 2 of 2
Total Noticed: 15

Date Rcvd: Nov 07, 2018

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 7, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor THE BANK OF NEW YORK MELLON Et Al...
andygornall@latouflawfirm.com
James Warmbrodt on behalf of Creditor THE BANK OF NEW YORK MELLON Et Al...
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor THE BANK OF NEW YORK MELLON Et Al...
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Robert H. Slone on behalf of Joint Debtor Lori Ann Sobien robertslone223@gmail.com,
rslone@pulsenet.com;G17689@notify.cincompass.com
Robert H. Slone on behalf of Debtor Charles F. Sobien robertslone223@gmail.com,
rslone@pulsenet.com;G17689@notify.cincompass.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7